

OCT 06 2004

PATENT
Attorney Docket No. 2896-4005
Express Mail: EV 498 836 048US

1638
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Lexun Xue
Serial No. : 09/997,445
Filed : November 29, 2001
For : TRANSGENIC DUNALIELLA SALINA AS A BIOREACTOR
Group Art Unit : 1638
Examiner : Georgia L. Helmer, Ph.D.
Office Action : July 6, 2004

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Mail Stop: Amendment

AMENDMENT AND RESPONSE
PURSUANT TO 37 C.F.R. § 1.115

Sir:

This is in response to the Office Action issued July 6, 2004 for which a response period of three months was set. The present response is timely.

In response to the Office Action, please amend the application as follows.

AMENDMENT

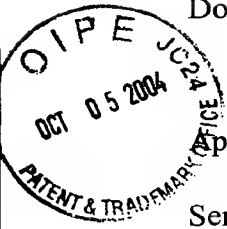
The amendment of the claims is presented on page 2 of this paper.

The Remarks/Arguments are presented beginning on page 6 of this paper

27123

↑CUSTOMER NUMBER↑

Docket No. 2896-4005

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Lexun Xue et al.

Group Art Unit: 1638

Serial No.: 09/997,445

Examiner: Georgia L. Helmer, Ph.D.

Filed: November 29, 2001

For: TRANSGENIC DUNALIELLA SALINA AS A BIOREACTOR

AMENDMENT FEE TRANSMITTAL

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an Amendment for the above-identified application.

☒ No additional fee is required.☐ The additional fee has been calculated as shown below:**CLAIMS AS AMENDED**

	Claims Remaining After Amendment	Highest No. Covered by Previous Payments	Extra	Rate	Additional Fee
Total Claims*	7- 20 =	20		\$18.00/ \$9.00	\$ 0
Independent Claims	2- 3 =	3		\$88.00/ \$44.00	\$ 0
Multiple Dependent Claims	(If claims added by amendment include Multiple Dependent Claim(s) and there was no Multiple Dependent Claim(s) in application before amendment add \$300.00 to additional fee (\$150.00 for small entity).				\$
TOTAL					\$ 0

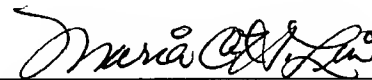
*Includes all independent and single dependent claims and all claims referred to in multiple dependent claims. See 37 C.F.R. §1.75(c).

- ☐ Small entity status is or has been claimed.
Reduced Fees Under 37 C.F.R. §1.9(f) paid herewith \$ _____
- ☐ _____ Pages Sequence Listing
- ☐ _____ Computer disk(s) containing substitute Sequence Listing
- ☐ Statement under 37 C.F.R. §1.825(b) that the computer and paper copies of the substitute Sequence Listing are the same.
- ☐ A check in the amount of \$ _____ to cover the filing fee is attached.
- ☐ Charge fee to Deposit Account No. 13-4500, Order No. _____. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required for filing this amendment, including all fees pursuant to 37 CFR §1.17 for its timely consideration, or credit any overpayment to Deposit Account No. 13-4500, Order No. 2896-4005. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: October 5, 2004

By: _____



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Registration No. 29,323

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